

## **REMARKS**

### **SUMMARY**

Reconsideration of the application is respectfully requested.

Claims 1-5, 9, 11-15, 18-40, 47-52, and 56-66 are in the application. Claims 1-5, 9, 11-15, 18-40, 47-52, and 56-66 have been rejected by the Examiner. Claims 62-63 are objected to by the Examiner because of informalities. Claims 1, 31, 51, and 62-63 have been amended.

Applicants appreciatively acknowledge the Examiner's consideration of the arguments filed on September 15, 2005.

### **Claim Objections**

Claims 62-63 were objected to by the Examiner because of informalities. In response, Applicants have amended claims 62-63 to correct the informalities.

### **Claim Rejections under 35 U.S.C. § 112**

In "Claim Rejections – 35 USC § 112," item 3 on page 2 of the above-identified Office Action, claims 1, 31, and 51 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, claims 1 and 31 were rejected for reciting the limitation "said" without sufficient antecedent basis for the limitation. In response, Applicants have amended claims 1 and 31 to recite sufficient antecedent basis. Accordingly, the rejection of these claims is believed to be obviated.

Further, claim 51 was rejected for not containing active limitations. In response, Applicants have amended claim 51 to contain active limitations. Accordingly, the rejection of this claim is believed to be obviated.

### **Claim Rejections under 35 U.S.C. § 103**

To establish obviousness under 35 U.S.C. § 103, the Examiner must view the invention as a whole. Further, the Examiner is to perform the obviousness analysis in accordance with the standard set forth by the Supreme Court in *Graham v. John Deere Co.* That standard requires that the Examiner (1) determine the scope and content of the prior art; (2) ascertain the differences between the prior art and the claims in issue; (3) resolve the level of ordinary skill in the art; and (4) evaluate evidence of secondary considerations. 383 U.S. 1, 17-18 (1966); *see also* MPEP 2141. Secondary considerations include whether the invention met with commercial success, whether the invention answered a long felt need, and whether others attempting the invention have failed. *Graham*, 383 U.S. at 17-18. Further, in applying the *Graham* framework, the Examiner must consider the invention as a whole, without the benefit of hindsight. MPEP 2141.

In “Claim Rejections – 35 USC § 103,” item 7 on page 3 of the above-identified Office Action, claims 1-5, 9, 11-15, 18-40, 47-52, and 56-66 have been rejected as being unpatentable over U.S. Patent Application Publication No. 2002/0002643 A1 to *Yamamoto et al.* (hereinafter “Yamamoto”) in view of U.S. Patent No. 6,295,441 to *Björkengren* (hereinafter “Björkengren”) under 35 U.S.C. § 103(a). Applicants respectfully traverse.

Claim 1 recites wireless mobile phone comprising:  
“a body casing having a plurality of surfaces;  
an input keypad disposed on a first surface of said body casing to facilitate entry of alphanumeric data;  
at least a first button disposed on a second surface of said body casing; and  
complementary logic in support of the at least first button to facilitate entry of alphanumeric data or phrases having one or more words, in encoded representations of a variable length encoding scheme using said at least first button, the variable length encoding scheme having a plurality of codes of various code lengths including a first and a second code having a

first and a second code length representing a phrase and a vowel respectively, and the first code length being shorter than the second code length.”

In contrast, Yamamoto teaches a portable information terminal comprising a plurality of buttons facilitating the entry of alphanumeric data through Morse codes. A user of the terminal presses one button of the terminal for differing durations of time, resulting in the entry of Morse codes representing alphanumeric characters. A number of these characters may be entered to form a word such as “Hello,” the word being simply a collection of characters corresponding to the entered Morse codes (Yamamoto, paragraph [0188]). Yamamoto further teaches that the collection of alphanumeric data forming the word may be transmitted to another portable information terminal. Yamamoto, however, does not disclose, either expressly or inherently, “a first and a second code having a first and a second code length representing a phrase and a vowel respectively, and the first code length being shorter than the second code length.” Words/phrases of Yamamoto are defined to be collections of characters. As each character of Yamamoto has a corresponding code (see Yamamoto, Fig. 15), Yamamoto only discloses a phrase represented by a plurality of codes. Thus, Yamamoto does not teach “a first . . . code . . . representing a phrase,” as is claimed by claim 1 of the present application.

Even assuming for the sake of argument that a plurality of Morse codes reads on “a first code,” Yamamoto does not disclose a word/phrase represented by the first code, and a vowel represented by a second code, where the length of the first code representing the phrase is shorter than the length of the second code representing the vowel, as is claimed in claim 1. Fig. 15 of Yamamoto clearly illustrates that the code lengths assigned to vowels in Morse code are shorter than those assigned to consonants. Even assuming a phrase that is simply a pairing of two vowels, Yamamoto fails to disclose such a phrase having a shorter code length than any of the vowels. Björkengren does not cure these deficiencies.

Accordingly, claim 1 is patentable over Yamamoto and Björkengren, alone or in combination.

Claims 21, 31, 47, 56, 60, and 62-64 recite limitations similar to those of claim 1. Accordingly, for at least the same reasons, claims 21, 31, 47, 56, 60, and 62-64 are patentable over Yamamoto and Björkengren, alone or in combination.

Claims 2-5, 9, 11-15, 18-20, 22-30, 32-40, 48-52, 57-59, 61, and 65-66 depend from claims 1, 21, 31, 47, 56, 60, and 64, incorporating their limitations respectively. Accordingly, for at least the same reasons, claims 2-5, 9, 11-15, 18-20, 22-30, 32-40, 48-52, 57-59, 61, and 65-66 are patentable over the cited art.

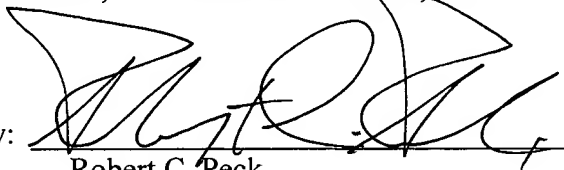
### **Conclusion**

Applicant submits that all pending claims, claims 1-5, 9, 11-15, 18-40, 47-52, and 56-66, are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,  
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by:



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